

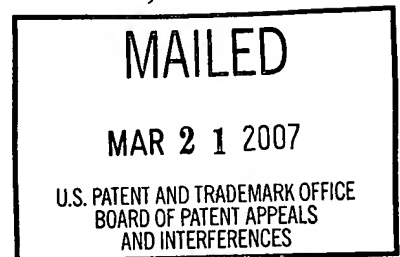
The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ANDREW JAY SKOOG, JANE ANN MURPHY,
and TIMOTHY RAY LATTIRE

Application 10/726,357
Technology Center 1700



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on November 29, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below:

INFORMATION DISCLOSURE STATEMENT

On July 28, 2006, the Appellants re-submitted to the USPTO an electronic Information Disclosure Statement (eIDS) and appropriate fee as set forth in 37 C.F.R. § 1.17. The Examiner indicated in a letter mailed July 14, 2006 that the IDS submitted April 28, 2006 did not comply with 37 C.F.R. § 1.97(d) because the

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fee was not included. It appears that the Examiner has not considered the re-submitted eIDS or notified Appellants why their submission did not meet the criteria set forth in 37 C.F.R. §§ 1.97 and 1.98.


Clarification is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to acknowledge the eIDS received by the USPTO on July 28, 2006;
- 2) to notify Appellants of said written consideration of the eIDS, have communication scanned into the Official Image File Wrapper (IFW) record;
- and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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PJN:hh

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